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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAMON CHAPA-NARVAEZ,

Defendant.

Criminal No. 02-CR-1182-L

**ORDER DENYING DEFENDANT'S
MOTION TO QUASH WARRANTS
AND/OR FINES; OR IN THE
ALTERNATIVE, SENTENCE IN
ABSENTIA TO CONCURRENT
TERM**

[Doc. No. 20]

Defendant Ramon Chapa-Narvaez, a prisoner in state custody, has filed a motion seeking to quash the warrant for a supervised release violation currently pending in this Court or, alternatively, sentence him in absentia to a term of imprisonment concurrent to his state court sentence. Defendant was originally sentenced in this case to a 60-month term of imprisonment and a 4-year period of supervised release. Defendant is alleged to have violated his supervised release by committing another criminal offense, as evidenced by his conviction for attempted transportation of marijuana for sale in the Yuma County, Arizona, Superior Court.

The Court finds no good cause to quash the supervised release warrant. To the extent that the Court may have discretion to accept Defendant's waiver of appearance in this matter and sentence him on the supervised release violation in absentia and without the presence of counsel,

1 the Court declines to do so. Defendant has not demonstrated that such action is warranted by his
2 conduct while on supervised release, nor in the interest of justice. Accordingly, Defendant's
3 Motion to Quash Warrants and/or Fines; or in the Alternative, Sentence in Absentia to
4 Concurrent Term is **DENIED**.

5 **IT IS SO ORDERED.**

6
7 Dated: 9/24/07


M. JAMES LORENZ
UNITED STATES DISTRICT JUDGE